REMARKS

Claims 1-10, 21, 23-27, and 31-32 are pending. Claims 28-30 have been canceled. Claims 1, 21, 23, and 31 have been amended and marked-up versions of the amended claims are attached pursuant to C.F.R. § 1.121.

Because the Applicant has not had an opportunity to address the new grounds for the rejection, the Applicant respectfully requests that the Examiner remove "Final Rejection" status. Alternatively, the amendments made in claims 1, 21, 23 and 31 do not raise any new issues which require further search or substantial consideration by the Examiner. For these reasons, it is requested that this amendment be entered under the provisions of 37 C.F.R. § 1.116 as it places the application in condition for allowance or at least in better condition for appeal. Favorable consideration and allowance of the pending claims in view of the foregoing amendments and the following remarks are respectfully requested.

Rejections under 35 U.S.C. § 102

The pending claims stand rejected under § 102(b) as being anticipated by U.S. Patent No. 6,279,007 to Uppala ("Uppala"). As the PTO provides in MPEP § 2131, "[t]o anticipate a claim, the reference must teach every element of the claim...." Therefore, the Uppala patent must disclose all of the elements of the claims to sustain the rejections. Accordingly, Applicant respectfully traverses these rejections.

Claim 1 is reproduced below to emphasize the italicized portions:

1. A method of creating a relational database so that multiple simultaneous hierarchies can be defined without needing dedicated database relationships between objects in the multiple hierarchies, wherein the relational database includes a plurality of objects *each having an associated data*; said method comprising:

forming a first database table having a plurality of entries, *each entry representing an object with an associated data*; and

forming a second database table having a plurality of entries, each entry defining a relationship between said plurality of objects, wherein each entry is associated with at least one of the multiple hierarchies.

In addition to the highlighted portion in claim 1 above, the Applicant wishes to call the Examiner's attention to Fig. 3, Table 10 of the Application, where it is explicitly stated that the table of members of the hierarchy *contains* the members or nodes *and the associated data*.

This is in contrast to Uppala, which creates identifying tables or "indexing" tables to access the data, but these identifying tables do not actually contain the data to be accessed. For instance, at Col. 9, lines 1-11, Uppala states:

> Referring first to FIG. 8, an exemplary embodiment of the invention is shown as data warehouse manager 811 residing in a server 810 to provide an interface between a data warehouse 813 on the server and an application 801 in a client 800. *The data warehouse 813 contains data that can be accessed through hierarchical value identifiers. The data warehouse manager 811 creates and maintains the three data structures described above for the data in the data warehouse 813*. The three data structures are stored in the data warehouse 813. The client application 801 uses the methods of the data warehouse manager 811 to store and retrieve data from the data warehouse 813.

Thus, the data can be accessed using the identifiers, but the data is not stored in the data structures. Uppala uses identifiers or indexes that allow the data in the data warehouse to be accessed. This is in contrast to the claimed invention, where the member or node table actually contains the data to be accessed.

MPEP § 2131 requires that "[t]he identical invention must be shown in as complete detail as is contained in the ... claim." Claim 1 recites: forming a first database table having a plurality of entries, *each entry representing an object with an associated data*. Independent claims 21, 23 and 31 have also been amended so that it is clear that the first or member database table includes the associated data.

In contrast, nowhere does Uppala teach or suggest a hierarchical structure that actually contains the data to be accessed. Accordingly, Uppala fails to disclose or suggest all the claimed elements or the manner in which they interconnect as required by MPEP § 2131. Thus, modified claims 1, 21, 23, and 31 are allowable over the Uppala patent.

The dependent claims depend from and further limit the independent claims and so are allowable as well.

Conclusion

Therefore, it is respectfully submitted that all the pending claims are in condition for allowance.

Should the Examiner deem that any further amendment is desirable to place this application in condition for allowance, the Examiner is invited to telephone the undersigned at the below listed telephone number.

Respectfully submitted,

Bill R. Naifeh
Registration No. 44,962

Dated: 1/20/03

HAYNES AND BOONE, LLP
901 Main Street, Suite 3100
Dallas, Texas 75202-3789
Telephone: 972/739-8638
Facsimile: 972/680-7551
File: 31988.8
r-1095170_1.DOC


27683
PATENT TRADEMARK OFFICE

Marked-up Claims Pursuant to CFR § 1.121

1. (Twice Amended) A method of creating a relational database so that multiple simultaneous hierarchies can be defined without needing dedicated database relationships between objects in the multiple hierarchies, wherein the relational database includes a plurality of objects each having an associated data; said method comprising:

forming a first database table having a plurality of entries, each entry representing an object with an associated data; and

forming a second database table having a plurality of entries, each entry defining a relationship between said plurality of objects, wherein each entry is associated with at least one of the multiple hierarchies.

21. (Twice Amended) A method of creating a relational data structure for storage and retrieval of data having multiple simultaneous hierarchical database relationships without needing dedicated database relationships between objects in the multiple hierarchies, the method comprising:

forming a table of members available in the multiple simultaneous hierarchical database relationships and data associated with each member;

forming a table of reporting relationships among the members available in the multiple simultaneous hierarchical database relationships; and

forming a table having a set of hierarchies, each hierarchy corresponding to a reporting relationship in said table of reporting relationships.

23. (Amended) A method for representing at least a first hierarchical relationship using a relational data structure, wherein the first hierarchical relationship includes a plurality of objects, wherein each of the plurality of objects is related to at least one other object of the plurality of objects as a parent object or a child object in a parent-child relationship, the method comprising:

creating a first table including the plurality of objects and associated data, wherein the first table associates each of the plurality of objects with an object identifier; and

creating a second table, wherein each parent-child relationship is represented by associating the object identifier of each parent object with the object identifier of each related child object and indicating that each parent-child relationship is associated with the first hierarchical relationship, so that multiple simultaneous hierarchies can be defined using the

relational data structure without needing dedicated database relationships between objects in the multiple hierarchies.

31. (Amended) A relational data structure for representing multiple simultaneous hierarchies without needing dedicated database relationships between objects in each of the multiple hierarchies, wherein the relational data structure is based on a plurality of objects, the data structure comprising:

a first table for:

organizing a plurality of objects, wherein each object is related to at least one other object by a defined relationship;

storing an object identifier associated with each of the plurality of objects;

storing associated data for each object identifier, and

a second table for:

associating the object identifier of each of the plurality of objects with the object identifier of each related object to represent each defined relationship; and

storing a hierarchy identifier associated with each relationship for indicating that each relationship is associated with a particular one of the multiple hierarchies.